

REMARKS

I. STATUS OF THE CLAIMS

Claims 40 and 41 are canceled herein.

New claim 60 is added.

In view of the above, it is respectfully submitted that claims 31-39 and 42-60 are currently pending. Of these, claim 37 is allowed.

II. IDS

An IDS was filed concurrently herewith.

It is respectfully requested that the Examiner acknowledge the IDS.

III. PRIOR ART REJECTIONS

Claim 31 recites that the substrate has an error of shape, and that at least one cycle of alternating layers is cut away from a portion of the multilayer film stack so that the multilayer film stack, having said at least one cycle cut away, controls the error of shape of the substrate in accordance with an amount of adjustment of a wavefront phase of a light reflected by the multilayer film stack.

Somewhat similar amendments are made to other claims. Moreover, new claim 60 includes somewhat similar features.

Support for the claim amendments and new claim is found, for example, on page 11, line 8, through page 13, line 16, of the specification.

Generally, a substrate has an error of shape, which causes a wavefront aberration in reflected light. In various embodiments of the present invention, a part of a multilayer film stack is cut away to correct the wavefront aberration. More specifically, as recited, for example, in claim 31, the multilayer film stack controls the error of shape of the substrate in accordance with an amount of adjustment of a wavefront phase of a light reflected by the multilayer film stack.

Itou relates to the repair of a defective portion of a *multi-layer*. More specifically, as shown in FIG. 6(a) of Itou, a defective portion 6 exists on the surface of *multi-layer 2*. Itou removes films of the multi-layer 2 in order to repair the defective portion 6. See, for example, column 5, lines 8-49, of Itou.

Therefore, in Itou, the films of the multi-layer 2 are removed in order to repair defective portion 6 of the multi-layer 2.

Itou does not disclose or suggest that a *substrate* has an error of shape, and that a *multilayer film stack* formed on the substrate *controls the error of shape of the substrate*.

Therefore, it is respectfully submitted that Itou does not disclose or suggest the features recited, for example, in the amended claim 38.

The above comments are specifically directed to claim 38. However, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims over the cited references.

* * *

It is respectfully submitted that all the prior art rejections are overcome for at least the reasons described above.

IV. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If there are any additional fees associated with filing of this Amendment, please charge the fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

May 8, 2008

By:

Paul I. Kravetz

Paul I. Kravetz
Registration No. 35,230

1201 New York Avenue, NW, 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501